

## DECLARATION FOR UTILITY PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Disease-induced polynucleotides**

the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a) which states in relevant part: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98.

I hereby claim foreign priority benefits under Title 35 United States Code, § 119(a)-(d) or 365(a)-(b) of any foreign applications for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

I hereby claim the benefit of priority under Title 35 United States Code, § 119(e) of any United States provisional application(s) listed below:

Provisional Serial No.: Filing Date:

60/125,814 3/23/99

I hereby claim the benefit under Title 35 United States Code, § 120 of any United States applications listed below and, insofar as this is a continuation-in-part application filed under the conditions set forth in 35 United States Code, § 120, which discloses and claims subject matter in addition to the prior copending application(s) listed below, I acknowledge the duty to disclose to the United States Patent Office all information known to be material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint coinventor: Jacqueline Heard

Inventor's signature: *Jacqueline Heard*

Date: 3/20/00

Citizenship: U. S.

Residence: 810 Guilford Avenue, San Mateo, CA 94402

Post Office Address: Same as above.

Full name of second joint coinventor: Pierre Broun

Inventor's signature: *P. B.*

Date: 3-20-00

Citizenship: France

Residence: 921 Sunnybrae Blvd., San Mateo, CA 94402

Post Office Address: Same as above.

Full name of third joint coinventor: Jose Luis Riedmann

Inventor's signature:

Date: 3/20/2000

Citizenship: Spain.

Residence: 115 Moss Avenue, Apt. 308, Oakland, CA 94611

Post Office Address: Same as above.

Full name of fourth joint coinventor: James Keddie

Inventor's signature:

Date: 3-20-2000

Citizenship: U. K.

Residence: 54 McLellan Ave, San Mateo, CA 94403

Post Office Address: Same as above.

Full name of fifth joint coinventor: Omaira Pineda

Inventor's signature:

Omaira Pineda

Date: 3/21/00

Citizenship: Colombia

Residence: 19563 Helen Place, Castro Valley, CA 94546

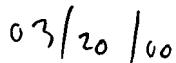
Post Office Address: Same as above.

Full name of sixth joint coinventor: Luc Adam

Inventor's signature:



Date:



Citizenship: Canada

Residence: 25800 Industrial Blvd. Apt. L403, Hayward, CA 94545

Post Office Address: Same as above.

Full name of seventh joint coinventor: Raymond Samaha

Inventor's signature:



Date: 3/20/00

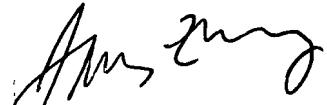
Citizenship: U.S.

Residence: 2224 Albert Lane, Capitola, CA 95010

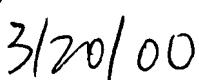
Post Office Address: Same as above.

Full name of eighth joint coinventor: James Zhang

Inventor's signature:



Date:



Citizenship: U. S.

Residence: 951 Amarillo Avenue, Palo Alto CA 94303

Post Office Address: Same as above.

Full name of ninth joint coinventor: Guo-Liang Yu

Inventor's signature:



Date:

03/20/2000

Citizenship: China

Residence: 242 Gravatt Drive, Berkeley, CA 94705

Post Office Address: Same as above.

Full name of tenth joint coinventor: Oliver Ratcliffe

Inventor's signature:



Date: 3/20/00

Citizenship: U. K.

Residence: 210 Athol Avenue, Apt. 5 Oakland CA 94606

Post Office Address: Same as above.

Full name of eleventh joint coinventor: Marsha Pilgrim

Inventor's signature:



Date: 3/20/00

Citizenship: U.S.

Residence: 2200 Emerson Street, Palo Alto, CA 94301

Post Office Address: Same as above.

Full name of twifth joint coinventor: Cai-Zhong Jiang

Inventor's signature: *Carly Jo*

Date: 3/21/00

**Citizenship:** China

Residence: 34495 Heathrow Terrace, Fremont, CA 94555

Post Office Address: Same as above.

Full name of thirteenth joint coinventor: Lynne Reuber

Inventor's signature: 

Date: 3/21/00

Citizenship: U.S.

Residence: 1115 S. Grant, San Mateo, CA 94402

Post Office Address: Same as above.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Jacqueline Heard et al.

Application No.: Unassigned

Filed: Herewith

Title: Disease-induced polynucleotides

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
37 C.F.R. § 1.9(d) AND 1.27(c) - SMALL BUSINESS CONCERN

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below.

Name: Mendel Biotechnology, Inc.

Address: 21375 Cabot Boulevard, Hayward, California 94545

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35 U.S.C. in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention.

entitled: Disease-induced polynucleotides

described in the Specification filed herewith

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. § 1.9(d) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Individual  Small Business Concern  Nonprofit Organization

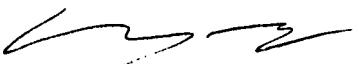
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing: Guo-Liang Yu

Title of Person Signing: Senior Vice-President, Research and Development

Address of Person Signing: 21375 Cabot Boulevard, Hayward, California 94545

Signature: 

Date: 03/20/2006